

## **E-ORDERS - Attorney Instructions**

The court requires proposed orders to be submitted to the court electronically. Judges and court staff can review documents related to the order. Notes can be sent to the judges regarding the proposed orders, to which the judges may reply, or sign the order electronically. When entered on the docket, the program also attaches a filed and judgment entered date stamp to the signed order.

- Sua Sponte Orders can be uploaded by chambers.
- The attorney will be able to track a pending order to determine its status, e.g., Signed or Rejected.

Filing Requirements: (see Exhibit A for an example)

### **1. Order Format Requirements -**

- In order for the electronic judge's signature and the court's electronic filed and judgment entered date stamps to work properly, the order PDF file is required to be **letter size (8½ in. x 11 in.) and the first page of the Order must have a 3 inch top margin that is white space.**
- Only files with a **.pdf extension** can be uploaded.
- At the end of the order, insert the following language.

Last page bottom left:

Last page bottom right:

**This Order has been signed electronically. The judge's signature and court's seal appear at the top of the Order.**

**United States Bankruptcy Court**

- No date language or signature line should appear at the end of orders submitted electronically.
- The required language must NOT be the only information on the last page of an order.
- **Recommended Font: Courier, Helvetica, Arial, or Times New Roman. Font Size - 12,** (regular, bold, italic, and bold italic). Other fonts will not process correctly for signature or through the courts' Bankruptcy Noticing Center.

2. Proposed ex parte orders must be submitted separately from the motion.
3. Do not tender the proposed order prior to the expiration of the notice period. The court will add 3 days for mailing to the period given or specified response date in the motion/notice. Proposed orders tendered prior to expiration of the notice period and three-day mailing period will be rejected and will have to be resubmitted once the notice period has expired.

Examples of Notice Period:

Notice provides '14 days' for responses.

Motion filed with a cert. of service dated July 1, 2019.

14 days from July 1, 2019 = July 15, 2019.

Three days for mailing added = July 18, 2019. Order may be submitted on July 19, 2019. If date falls on a weekend, due to electronic filing availability, no extension is recognized. The order can be submitted to the Court on the first date following the added three days.

Or:

Notice states "responses due by July 27, 2019." Add three days for mailing = July 30, 2019. Order may be submitted on July 31, 2019.

Orders may be submitted at any time following a hearing being held. The Court will review the Disposition from the hearing and process the order accordingly.

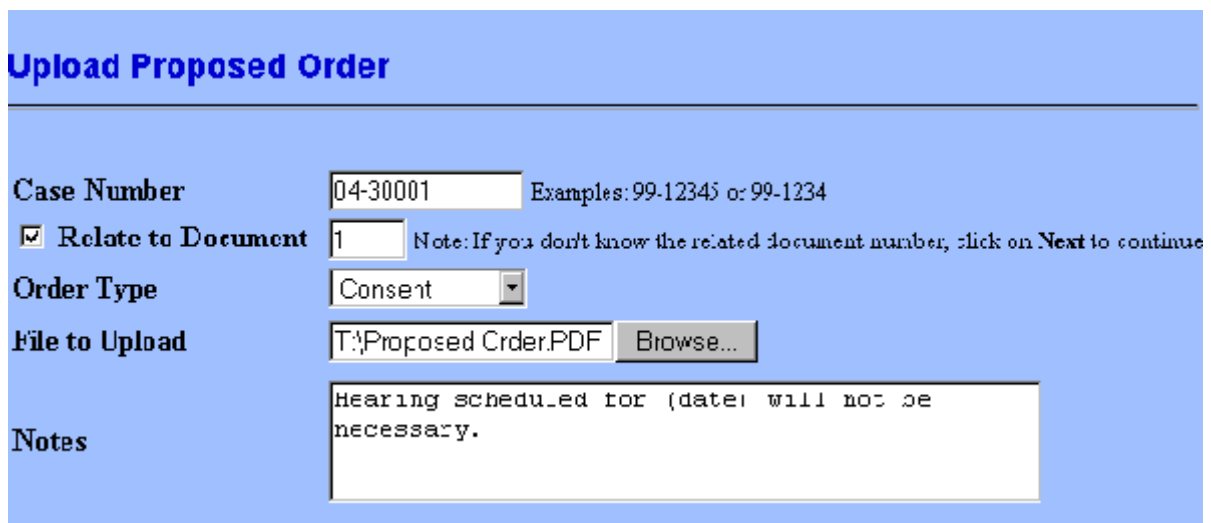
4. Proposed consent orders are required to be submitted electronically. Scanned images will be rejected. The consent order should reflect the parties who are consenting to the proposed order.
5. DO NOT ATTACH Certificates of Service to the Proposed Order. It will need to be filed separately at a later date.
6. Do not include Hyperlinks in the Proposed Order, including hyperlinked email addresses.
7. Scanned proposed orders will be rejected. Save your documents as an Adobe Acrobat PDF file. ECF cannot attach the Judge's signature and Court's file stamp to a scanned image.

### **Uploading a Proposed Order**

To submit a proposed order electronically:

1. Click on: Bankruptcy or Adversary – Upload Proposed Order
2. Enter case number.
3. Check the box if order is related to a pending document.
4. Enter related document number. (To find the related document number, click Next to continue. This will run the case docket; select the appropriate document). If the order should relate to multiple docs. Separate each doc. number by a comma.
5. Select Order type: Ex Parte, Amended, Consent, Hearing Held, No Protest and Other. Browse and attach the pdf image of the proposed order. This should not be a scanned pdf image.
6. A note to the court staff or judge may be added, if applicable. (Not required) If an Order is an Amended Order, insert a note indicating the amendment. (Ex. Amended Order is amending payment amount.) Do not use the return key when typing a note to the proposed order.

(See Figure 1 below to view screen appearance)



The screenshot shows a web form titled "Upload Proposed Order" with a blue background. The form contains the following fields and controls:

- Case Number:** A text input field containing "04-30001" with a "Browse..." button to its right. Below the field, it says "Examples: 99-12345 or 99-1234".
- Relate to Document:** A checkbox labeled "Relate to Document" which is checked, followed by a text input field containing "1". To the right, it says "Note: If you don't know the related document number, click on Next to continue".
- Order Type:** A dropdown menu currently showing "Consent".
- File to Upload:** A text input field containing "T:\Proposed Order.PDF" with a "Browse..." button to its right.
- Notes:** A text area containing the text "Hearing scheduled for (date) will not be necessary."

Figure 1

7. Click Next.
8. A screen confirms the order was uploaded successfully.
9. Click on “Upload Additional Order” for filing additional orders

Checking Status of Proposed Order

An attorney can check the status of a proposed order at any time after uploading via Reports/Proposed Orders

The report will only display orders that have been electronically submitted by the attorney logged into ECF. (See Figure 2)

| Proposed Orders |   |                   |                           |             |
|-----------------|---|-------------------|---------------------------|-------------|
| Order           | Case  | Related           | Submitted                 | Status      |
| Consent         | <a href="#">04-30001</a><br><i>Smith</i>                                    | <a href="#">1</a> | 08/03/2004<br>King, Brent | Uploaded    |
| Consent         | <a href="#">04-30001</a><br><i>Smith</i>                                    | <a href="#">1</a> | 08/03/2004<br>King, Brent | Uploaded    |
| Ex Parte        | <a href="#">03-50012</a><br><i>Arthur The Rabbit and Maria The Explorer</i> | <a href="#">2</a> | 06/18/2004<br>King, Brent | Stamp Error |

Figure 2

See the different columns and status of Orders below:

**Order** - Displays the document number, a pdf image of the proposed order and order type. The order types are: Ex Parte, ended, Consent, Hearing Held, No Protest, Other.

**Case** - Includes the Case number (hyperlink to docket report) and case name.

**Related** - Displays the related document number (hyperlink to the document), to which the order relates.

**Submitted** - Includes the date submitted electronically and the submitting attorney's name.

**Status** - Uploaded, Signed, Rejected or Stamp Error; See Note on the next page concerning Color-coding.

**Uploaded** -Orders that have been electronically uploaded by an attorney filer or case administrator.

**Signed** -Orders that have been signed by the judge.

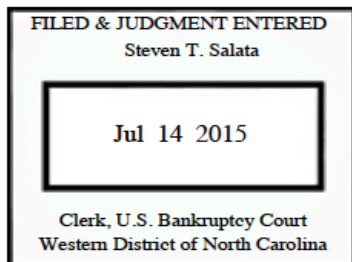
**Rejected** -Orders that have been rejected by the court or the judge.

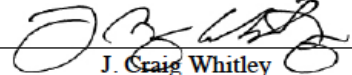
**Stamp Error** - Orders submitted with formatting errors cannot be electronically signed, or affixed with the electronic file date and

judgment entered stamp.

Three colors display the status of orders: (Green) - Ready for action; (Orange) - no action has been taken in 3 days. (Red) - Stamp Error or Rejected.

The judge's signature and the Filed & Judgment Entered date stamp are affixed to the top three inches of the filed Order. See example below:



  
J. Craig Whitley  
United States Bankruptcy Judge

**EXHIBIT A**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
(SPECIFY) DIVISION**

|            |   |          |
|------------|---|----------|
| IN RE:     | ) |          |
|            | ) | Case No: |
|            | ) |          |
|            | ) | Chapter  |
|            | ) |          |
| Debtor(s). | ) |          |
| _____      | ) |          |

**ORDER TITLE**

(ORDER TEXT)

(WHEREFOR)

(/s/ Attorney name (Consent Order only– evidence of consenting parties))

**This Order has been signed electronically. The judge’s signature and court’s seal appear at the top of the Order.**

**United States Bankruptcy Court**